



STATE OF ARKANSAS
**Department of Finance
and Administration**

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MEMORANDUM

To: All State Agencies, Boards, Commissions and Institutions of Higher Education

Attention: **Chief Financial Officers & Professional Consulting Services
Contracting Staff**

From: Joe Giddis, Director
State Procurement

Date: December 11, 2002

Subject: Lobbyists--Professional Consultant Services Contract

We have been asked to provide additional guidance on "lobbyist" contracts. Please see the December 5, 2002 memorandum, SUBJECT: "Professional Consulting Services Contracting" for the policy on the use of either the Request for Qualifications (RFQ) or the Request for Proposal (RFP) format. Should the agency or Institution of Higher Education choose to use the "sole source" method of contracting, please follow the same guidance as with other sole source PCS contracts.

There is a high potential for conflict of interest if Agencies or Institutions of Higher Education hire a lobbyist who also represents private interests in the legislature. Agencies and Institutions of Higher Education should ensure they get disclosure of all clients and issues that the lobbyists will be pursuing to determine if there is a conflict. An example of a possible area of concern might be an executive agency using a lobbyist who is lobbying against another executive agency's position on other issues.

The standard Professional Consulting Services contract form should be used when contracting for the services of a lobbyist. Again, the same policies and procedures that pertain to other professional consulting services contracts are applicable to contracting for lobbyist services.

If you have questions or need assistance please email jerry.hester@dfa.state.ar.us